

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

STEVE HICKMAN, )  
)  
Plaintiff, )  
)  
v. )  
)  
DETECTIVE MARZEC, in his individual )  
and official capacity, DAVID HUME, IV, )  
TOWN OF DELMAR, DEPARTMENT OF )  
DRUG ENFORCEMENT, AGENT TOM )  
JACOBS, )  
)  
Defendants. )

Civil Action 05-811-KAJ  
CONSOLIDATED

SANDRA J. WHITE, )  
)  
Plaintiff, )  
)  
v. )  
)  
DETECTIVE MARZEC, AGENT TOM )  
JACOBS, AGENT CHRIS )  
QUAGLINO, and TOWN OF DELMAR, )  
)  
Defendants. )

TAWANDA WEATHERSPOON, )  
)  
Plaintiff, )  
)  
v. )  
)  
DETECTIVE MARZEC, AGENT TOM )  
JACOBS, AGENT CHRIS QUAGLINO, )  
and TOWN OF DELMAR, )  
)  
Defendants. )

**DEFENDANT TOWN OF DELMAR'S MOTION TO DISMISS**  
**PLAINTIFFS' SECOND AMENDED COMPLAINT**

Defendant, Town of Delmar, by and through its counsel, Marshall, Dennehey, Warner, Coleman and Goggin, and pursuant to Federal Rule of Civil Procedure 12(b)(6), respectfully moves this Honorable Court to dismiss Plaintiffs' Second Amended Complaint. Defendant respectfully refers this Honorable Court to the accompanying memorandum of law in support of its motion. A proposed Order consistent with this motion is attached hereto.

**MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN**

/s/ Daniel A. Griffith DE ID No. 4209  
DANIEL A. GRIFFITH, ESQUIRE  
DE Bar ID No. 4209  
JOHN A. MACCONI, JR., ESQUIRE  
DE Bar ID No. 4430  
1220 North Market St., 5<sup>th</sup> Floor  
P.O. Box 8888  
Wilmington, DE 19899-8888  
*Counsel for Defendant Town of Delmar*

Date: 10/26/07